

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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SECURITIES AND EXCHANGE COMMISSION, :

Plaintiff, :

-v- :

PLATINUM MANAGEMENT (NY) LLC; :

PLATINUM CREDIT MANAGEMENT, L.P.; :

MARK NORDLICHT; :

DAVID LEVY; :

DANIEL SMALL; :

URI LANDESMAN; :

JOSEPH MANN; :

JOSEPH SANFILIPPO; and :

JEFFREY SHULSE, :

Defendants. :

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No. 16-CV-6848 (BMC)

**NOTICE OF RECEIVER'S MOTION FOR ENTRY OF AN ORDER APPROVING  
SETTLEMENT AGREEMENT WITH JOINT OFFICIAL LIQUIDATORS OF  
PLATINUM PARTNERS VALUE ARBITRAGE FUND**

**PLEASE TAKE NOTICE** that upon the accompanying declaration and memorandum of law in support of the motion (the “***Motion***”) by Melanie L. Cyganowski, the court-appointed equity receiver (the “***Receiver***”) of the Receivership Entities<sup>1</sup> (defined below), by and through her undersigned counsel, will move before the Honorable Brian M. Cogan, United States District Judge for the United States District Court for the Eastern District of New York (the “***Court***”), located at the United States District Court for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201, for the entry of an Order (a) approving a settlement agreement (the “***Settlement Agreement***”) between:

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<sup>1</sup> The “***Receivership Entities***” are: (i) Platinum Partners Credit Opportunities Master Fund LP, (ii) Platinum Partners Credit Opportunities Fund (TE) LLC, (iii) Platinum Partners Credit Opportunities Fund LLC, (iv) Platinum Partners Credit Opportunities Fund International Ltd., (v) Platinum Partners Credit Opportunities Fund International (A) Ltd., (vi) Platinum Partners Credit Opportunities Fund (BL) LLC, (vii) Platinum Credit Management, L.P., (viii) Platinum Liquid Opportunity Management (NY) LLC, (ix) Platinum Partners Liquid Opportunity Fund (USA) L.P., and (x) Platinum Partners Liquid Opportunity Master Fund L.P.

- (i) Melanie L. Cyganowski, solely in her capacity as Receiver for the Receivership Entities and, in that capacity, as an agent and an authorized representative for all entities listed as “Receivership Parties” on **Addendum A** to the Settlement Agreement (collectively, the “**Receivership Parties**”), on one hand, and
  - (ii) Martin Trott and Christopher Smith, in their capacities as the Joint Official Liquidators and Foreign Representatives (the “**JOLs**”) of Platinum Partners Value Arbitrage Fund L.P. (in Official Liquidation) (“**PPVA**”), and, in that capacity, as an agent and authorized representatives for all entities listed as “PPVA JOL Parties” on **Addendum A** to the Settlement Agreement (collectively with the JOLs and PPVA, the “**PPVA JOL Parties**”), and Principal Growth Strategies, LLC (“**PGS**,” and together with PPVA JOL Parties, the Receiver and the Receivership Parties, collectively, the “**Parties**” and each a “**Party**”), on the other hand;
- (b) authorizing the Receiver to take any such necessary steps to effectuate the terms of, and fulfill her obligations under, the Settlement Agreement, including, without limitation, the execution and delivery of all applicable instruments and documents; and (c) granting such other and further relief as the Court deems just.

**PLEASE TAKE FURTHER NOTICE** that any opposition to the Motion must be: (i) made in writing; (ii) if by a party named in the above-captioned case, electronically filed with the Court; or (iii) if by a non-party, electronically mailed to the Receiver at her email address, [platinumreceiver@otterbourg.com](mailto:platinumreceiver@otterbourg.com), so as to be actually received no later than **August 4, 2022**.

*[remainder of page left intentionally blank]*

**PLEASE TAKE FURTHER NOTICE** that in the absence of any timely filed or served written opposition, the Court may grant the relief requested in the Motion without further hearing or notice.

Dated: July 28, 2022

**OTTERBOURG P.C.**

By: /s/ Erik B. Weinick

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*Attorneys for Melanie L.  
Cyganowski, as Receiver*